

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
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| Jay D. KRANZLER et al. |) | Group Art Unit: 1614 |
| |) | |
| Application No.: 10/623,431 |) | Examiner: Alicia R. HUGHES |
| |) | |
| Filed: July 18, 2003 |) | Confirmation No.: 4067 |
| |) | |
| For: METHODS OF TREATING |) | |
| FIBROMYALGIA SYNDROME, |) | |
| CHRONIC FATIGUE SYNDROME |) | |
| AND PAIN |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-referenced application.

Copies of the listed foreign documents and non-patent literature are submitted herewith. Copies of the U.S. patents, patent application publications, and co-pending applications and related office actions are not enclosed as they are available in the Imaged File Wrapper system on PAIR.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 15, 2010

By: 

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